

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**JOHN KADERLY,  
Petitioner**

**V.**

**NATHANIEL QUARTERMAN  
Respondent**

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**Civ. No. CC-07-225**

**ORDER ADOPTING MEMORANDUM AND  
RECOMMENDATION AND DENYING DEFAULT JUDGMENT**

The United States Magistrate Judge filed her Memorandum and Recommendation on August 22, 2007 (D.E. 14) with respect to petitioner's Motion for Default Judgment. (D.E. 9). Petitioner filed no objections. When no timely objection is filed, the Court need only satisfy itself that there is no "clear error" on the face of the record in order to accept the Magistrate Judge's recommendation. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir.1996) (citing FED. R. CIV. P. 72(b) advisory committee's note (1983)).

The Magistrate Judge found default judgment inappropriate because respondent had been given an extension and was therefore not in default. Having reviewed the pleadings and motions on file, the Court finds no clear error in the Magistrate Judge's recommendation. Accordingly, the Court accepts the

Magistrate Judge's recommended decision and petitioner's Motion for Default Judgment (D.E. 13) is DENIED.

ORDERED this 8 day of February, 2008.

  
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HAYDEN HEAD  
CHIEF JUDGE